

**BOARD OF ADJUSTMENT MEETING
CITY OF FORT LAUDERDALE
WEDNESDAY, JULY 9, 2014 – 6:30 P.M.
CITY HALL CITY COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA**

		Cumulative Attendance 6/2014 through 5/2015	
Board Members	Attendance	Present	Absent
Karl Shallenberger, Chair	P	2	0
Sharon A. Zamojski, Vice Chair	A	1	1
Roger Bond	A	1	1
Caldwell Cooper	P	1	1
Michael Madfis	P	2	0
Matthew Scott	P	1	1
Fred Stresau	P	2	0
Alternates			
Birch Willey	P	2	0
Andrew Gordon	P	1	0

Staff

Bob Dunckel, Assistant City Attorney
Mohammed Malik, Director of Zoning
Anthony Fajardo, Zoning Administrator
Lynda Crase, Administrative Aide
Brigitte Chiappetta, Recording Secretary, Prototype Inc.

Communication to the City Commission

None.

Purpose: Section 47-33.1.

The Board of Adjustment shall receive and hear appeals in cases involving the ULDR, to hear applications for temporary nonconforming use permits, special exceptions and variances to the terms of the ULDR, and grant relief where authorized under the ULDR. The Board of Adjustment shall also hear, determine and decide appeals from reviewable interpretations, applications or determinations made by an administrative official in the enforcement of the ULDR, as provided herein.

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	<u>Appeal Number</u>	<u>Applicant/Agent</u>	<u>District</u>	<u>Page</u>
4.	B14005	Commercial Prospect LLC/Victory Petroleum/ Wonder Meryl For the Good of the City Communication to the City Commission	1	<u>3</u> <u>3</u> <u>4</u>

Board members disclosed communications they had and site visits made regarding items on the agenda.

All individuals wishing to speak on the matters listed on tonight's agenda were sworn in.

Items were discussed out of order.

Call to Order

Mr. Madfis called the meeting to order at 6:35 p.m. He introduced Board members and determined a quorum was present.

Mr. Madfis thanked former Chair Diana Centorino for her service on the Board. Ms. Centorino said she had enjoyed working with the Board and appreciated how hard they worked.

Approval of Minutes – June 2014

Mr. Stresau noted a change to the minutes.

Motion made by Mr. Stresau, seconded by Mr. Cooper, to approve the minutes of the Board's June 2014 meeting as amended. In a roll call vote, motion passed unanimously.

Election of Chair and Vice Chair

Mr. Stresau nominated Ms. Zamojski as Chair, seconded by Mr. Willey.

Ms. Zamojski was not present, and Mr. Dunckel explained that if she did not wish to serve as Chair, the Board could decide if the Vice Chair would become Chair or if a new Chair should be elected.

Mr. Cooper nominated Mr. Shallenberger for Chair.

On the **motion** of Ms. Zamojski for Chair, in a roll call vote, motion failed 1-6 with only Mr. Shallenberger voting in favor.

On the **motion** of Mr. Shallenberger for Chair, in a roll call vote, motion passed 7-0.

Mr. Stresau nominated Ms. Zamojski for Vice Chair, seconded by Mr. Cooper. In a

voice vote, motion passed 7-0.

1. APPEAL NO B14005

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APPLICANT: Commercial Prospect LLC/Victory Petroleum
AGENT: Wonder Meryl
LEGAL: 17-49-42 PART OF SE1/4 OF NE1/4 DESC'D AS COMM AT SW
COR OF SE1/4 OF NE1/4 N ALG W/L FOR 330.23,E 50.00 TO PT
ON E R/W/L OF PROSPECT RD AND POB,CONT E 250.00,S
250.17,WLY 224.88,NW 35.44,N 225.10 TO POB
ZONING: B-3 (Heavy Commercial/Light Industrial Business)
STREET: 2395 W Commercial Blvd.
ADDRESS: Fort Lauderdale, FL
DISTRICT: 1

APPEALING: Section 47-6.13. (List of permitted and conditional uses, Heavy Commercial/Light Industrial (B-3) District).

Requesting an after-the-fact use variance to permit an outdoor hand car wash in the B-3 zoning district where the code does not indicate outdoor hand car wash as a permitted or conditional use in the B-3 zoning district.

**(DEFERRED FROM APRIL 9, 2014)
(APPLICANT REQUESTING DEFERRAL TO SEPTEMBER 10, 2014)**

Wonder Meryl, applicant, confirmed he wished a deferral to better prepare his application. He requested two months.

Chair Shallenberger opened the public hearing. There being no members of the public wishing to address the Board on this item, Chair Shallenberger closed the public hearing and brought the discussion back to the Board.

Mr. Meryl said he had hired an attorney to represent him two weeks ago.

Mr. Dunckel informed Mr. Stresau that the Board was not required to hear a request within a certain timeframe. They could use their discretion in granting deferrals.

Motion made by Mr. Cooper, seconded by Mr. Willey to defer the request to the Board's September meeting. In a voice vote, motion passed 7-0.

Report and for the Good of the City

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Mr. Fajardo reported that staff would no longer make recommendations regarding requests.

The Board needed to reschedule their September meeting and agreed on September 9 instead of September 10.

Motion made by Mr. Stresau, seconded by Mr. Scott, to hold the Board's September meeting on Tuesday, September 9. In a voice vote, motion passed unanimously.

Communication to the City Commission
None.

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There being no further business to come before the Board, the meeting was adjourned at 7:02 pm.

Chair:


Karl Shallenberger

Attest:


ProtoType Inc.

Minutes prepared by: J. Opperee, Prototype Inc.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.